



Sen. M. Maggie Crotty

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09700SB1749sam001

LRB097 09178 CEL 52652 a

1 AMENDMENT TO SENATE BILL 1749

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1749 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Registered Surgical Assistant and  
5 Registered Surgical Technologist Title Protection Act is  
6 amended by changing Sections 10, 40, and 50 as follows:

7 (225 ILCS 130/10)

8 (Section scheduled to be repealed on January 1, 2014)

9 Sec. 10. Definitions. As used in this Act:

10 "Department" means the Department of Professional  
11 Regulation.

12 "Direct supervision" means supervision by an operating  
13 physician, licensed podiatrist, or licensed dentist who is  
14 physically present and who personally directs delegated acts  
15 and remains available to personally respond to an emergency  
16 until the patient is released from the operating room. A

1 registered professional nurse may also provide direct  
2 supervision within the scope of his or her license. A  
3 registered surgical assistant or registered surgical  
4 technologist shall perform duties as assigned.

5 "Director" means the Director of Professional Regulation.

6 "Physician" or "operating physician" means a person  
7 licensed to practice medicine in all of its branches under the  
8 Medical Practice Act of 1987.

9 "Registered surgical assistant" means a person who (i) is  
10 not licensed to practice medicine in all of its branches, (ii)  
11 is certified by the National Surgical Assistant Association on  
12 the Certification of Surgical Assistants, the Liaison Council  
13 on Certification for the Surgical Technologist as a certified  
14 first assistant, or the American Board of Surgical Assisting,  
15 (iii) performs duties under direct supervision, (iv) provides  
16 services only in a licensed hospital, ambulatory treatment  
17 center, or office of a physician licensed to practice medicine  
18 in all its branches, and (v) is registered under this Act.

19 "Registered surgical technologist" means a person who (i)  
20 is not a physician licensed to practice medicine in all of its  
21 branches, (ii) is certified by the National Board of Surgical  
22 Technology and Surgical Assisting or is otherwise qualified  
23 under this Act, ~~Liaison Council on Certification for the~~  
24 ~~Surgical Technologist,~~ (iii) performs duties, tasks, and  
25 functions under direct supervision, including, but not limited  
26 to, preparing the operating room for surgical procedures by

1 ensuring that the surgical equipment is functioning properly  
2 and safely, preparing the operating room and sterile field  
3 using sterile technique, and performing, as directed, tasks at  
4 the sterile field to assist in the surgical procedure, (iv)  
5 provides services only in a licensed hospital, ambulatory  
6 treatment center, or office of a physician licensed to practice  
7 medicine in all its branches, and (v) is registered under this  
8 Act.

9 (Source: P.A. 93-280, eff. 7-1-04.)

10 (225 ILCS 130/40)

11 (Section scheduled to be repealed on January 1, 2014)

12 Sec. 40. Application of Act. This Act shall not be  
13 construed to prohibit the following:

14 (1) A person licensed in this State under any other Act  
15 from engaging in the practice for which he or she is  
16 licensed, including but not limited to a physician licensed  
17 to practice medicine in all its branches, physician  
18 assistant, advanced practice registered nurse, or nurse  
19 performing surgery-related tasks within the scope of his or  
20 her license, nor are these individuals required to be  
21 registered under this Act.

22 (2) A person from engaging in practice as a surgical  
23 assistant or surgical technologist in the discharge of his  
24 or her official duties as an employee of the United States  
25 government.

1           (3) One or more registered surgical assistants from  
2 forming a professional service corporation in accordance  
3 with the Professional Service Corporation Act and applying  
4 for licensure as a corporation providing surgical  
5 assistant services.

6           (4) A student engaging in practice as a surgical  
7 assistant or surgical technologist under the direct  
8 supervision of a physician licensed to practice medicine in  
9 all of its branches as part of his or her program of study  
10 at a school approved by the Department or in preparation to  
11 qualify for the examination as prescribed under Sections 45  
12 and 50 of this Act.

13           (5) A person from assisting in surgery at an operating  
14 physician's discretion, including but not limited to  
15 medical students and residents, nor are medical students  
16 and residents required to be registered under this Act.

17           (6) A hospital, health system or network, ambulatory  
18 surgical treatment center, physician licensed to practice  
19 medicine in all its branches, physician medical group, or  
20 other entity that provides surgery-related services from  
21 employing individuals that the entity considers competent  
22 to practice as surgical assistants ~~assist in surgery~~. These  
23 entities are not required to utilize registered surgical  
24 assistants ~~or registered surgical technologists~~ when  
25 providing surgery-related services to patients. Nothing in  
26 this subsection shall be construed to limit the ability of

1 an employer to utilize the services of any person to  
2 practice as a surgical assistant and assist in surgery  
3 within the employment setting consistent with the  
4 individual's skill and training.

5 (Source: P.A. 93-280, eff. 7-1-04.)

6 (225 ILCS 130/50)

7 (Section scheduled to be repealed on January 1, 2014)

8 Sec. 50. Registration requirements; surgical technologist.

9 A person shall qualify for registration as a surgical  
10 technologist if he or she has applied in writing on the  
11 prescribed form, has paid the required fees, and meets ~~all of~~  
12 the following requirements:

13 (1) Is at least 18 years of age.

14 (2) Has not violated a provision of Section 95 of this  
15 Act. In addition the Department may take into consideration  
16 any felony conviction of the applicant, but a conviction  
17 shall not operate as an absolute bar to registration.

18 (3) Satisfies one or more of the following  
19 requirements:

20 (A) has ~~has~~ completed a nationally accredited  
21 surgical technologist program approved by the  
22 Department and holds and maintains the certified  
23 surgical technologist credential administered by the  
24 National Board of Surgical Technology and Surgical  
25 Assisting or its successor;

1           (B) is currently certified by the National Board of  
2           Surgical Technology and Surgical Assisting or its  
3           successor agency and has met the requirements set forth  
4           for certification; -

5           (C) was employed to practice as a surgical  
6           technologist by a hospital, ambulatory surgical  
7           treatment center, a physician medical group, or other  
8           entity that provides surgery-related services on the  
9           effective date of this Act; or

10           (D) has successfully completed a surgical  
11           technologist program in the Army, Navy, Air Force,  
12           Marine Corps, or Coast Guard of the United States or in  
13           the United States Public Health Service Commissioned  
14           Corps.

15           ~~(4) (Blank) Has successfully completed the surgical~~  
16           ~~technologist national certification examination provided~~  
17           ~~by the Liaison Council on Certification for the Surgical~~  
18           ~~Technologist or its successor agency.~~

19           ~~(6) (Blank) Is currently certified by the Liaison~~  
20           ~~Council on Certification for the Surgical Technologist or~~  
21           ~~its successor agency and has met the requirements set forth~~  
22           ~~for certification.~~

23           (Source: P.A. 93-280, eff. 7-1-04.)

24           Section 99. Effective date. This Act takes effect upon  
25           becoming law."